

ESTTA Tracking number: **ESTTA375067**

Filing date: **10/26/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91196483
Party	Defendant KURTIS Roderick Beckstrom
Correspondence Address	KURTIS RODERICK BECKSTROM 911 S DODSWORTH AVE GLENORA, CA 91740-4828  marvol_boards_inc@yahoo.com
Submission	Answer
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@TheTrademarkCompany.com
Signature	/Matthew H. Swyers/
Date	10/26/2010
Attachments	Answer & Grounds of Defense.pdf ( 4 pages )(16191 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
The Trademark Trial and Appeal Board**

In the matter of Trademark Application Serial No. 85/002,088  
For the mark COVERT,

Covert Skate, Inc.,

Opposer,

vs.

Kurtis Roderick Beckstrom,

Applicant.

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Opposition No. 91196483

**ANSWER AND GROUNDS OF DEFENSE**

COMES NOW the Applicant, Kurtis Roderick Beckstrom (hereinafter “Applicant”), by and through counsel, The Trademark Company, PLLC, and files his Answer and Grounds of Defense to the Notice of Opposition and in response to Opposer’s allegations states as follows:

**ANSWER**

Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in the Introductory Paragraph of the Notice of Opposition and therefore denies the same. In response to the specifically enumerated paragraphs of the Notice of Opposition, Applicant responds as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 of the Notice of Opposition and therefore denies the same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 of the Notice of Opposition and therefore denies the same.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Notice of Opposition and corresponding exhibits and therefore denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Notice of Opposition and corresponding exhibits and therefore denies the same.

Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the last Paragraph of the Notice of Opposition and therefore denies the same.

Applicant further denies all allegations not specifically, actually or constructively, admitted in the foregoing paragraphs of this Answer and Grounds of Defense.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed.

### **AFFIRMATIVE PLEADINGS AND DEFENSES**

COMES NOW the Applicant, by and through counsel, The Trademark Company, and pleads the following Affirmative Pleadings and Defenses to Opposer's Notice of Opposition:

1. Opposer's claims are barred by the doctrine of *acquiescence*.
2. Opposer's claims are barred by the doctrine of *laches*.

Applicant reserves the right to assert such other affirmative pleadings and defenses as discovery in this case discloses a basis therefore.

WHEREFORE, the premises considered, Applicant Kurtis Roderick Beckstrom, by and through counsel, respectfully prays that the Notice of Opposition be dismissed with prejudice.

Respectfully submitted this 26<sup>th</sup> day of October, 2010.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

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Counsel for Applicant

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Opposition No. 91196483

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a copy of the foregoing pleading, this 26<sup>th</sup> day of  
October, 2010, to be served, via first class mail, postage prepaid, upon:

Mr. Thomas J Barger  
Covert Skate, Inc.  
2428 E Robinson Street  
Orlando, Fl 32803

/Matthew H. Swyers/  
Matthew H. Swyers